

EXHIBIT A

Appellee/Cross-Appellant Post Confirmation Trust (“PCT”) has cross-appealed the District Court's *Order Adopting and Modifying The October 25, 2006, And December 4, 2006, Reports Of Special Master On The Parties’ Motions For Attorneys’ Fees And Costs* (the "March 2, 2007 Order") entered in Civil No. CV03-00385 SOM-LEK. The issues raised in the PCT’s appeal are (i) whether the District Court erred in finding that Appellant/Cross-Appellee Wayne Berry, as opposed to the PCT, was the prevailing party on the copyright claims and (ii) whether the District Court erred in denying the PCT’s request for attorney's fees on the copyright claims.

In accordance with Ninth Circuit rules, the PCT hereby gives notice that, for purposes of its cross-appeal, it designates the transcript from the District Court’s February 26, 2007 hearing considering the PCT's motion for attorney's fees and costs (the “February 26, 2007 Transcript”). Appellant/Cross-Appellee Wayne Berry has already designated and ordered the February 26, 2007 Transcript for his previously filed appeal of the March 2, 2007 Order. Consequently, the PCT will not reorder the transcript.